

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEPHANIE B. BARRETT,	)	
Individually and as	)	Civil Action
Administratrix of the Estate	)	No. 04-CV-03550
of Robert C. Barrett, Deceased,	)	
and as Natural Mother and	)	
Next Friend of	)	
Madison Hope Barrett, a Minor,	)	
	)	
Plaintiff	)	
	)	
vs.	)	
	)	
AMBIENT PRESSURE DIVING, LTD.,	)	
SILENT DIVING SYSTEMS LLC,	)	
CLIFF SIMONEAU,	)	
MICHAEL FOWLER,	)	
JOHN GARVIN,	)	
O2 TECHNICAL DIVING, INC.,	)	
TELEDYNE TECHNOLOGIES INCORPORATED,	)	
TELEDYNE ANALYTICAL INSTRUMENTS,	)	
C2 EDUCATIONAL EXPEDITIONS,	)	
TECHNICAL DIVING INTERNATIONAL,	)	
DOLPHINO'S and	)	
JOHN DOES 1-5,	)	
	)	
Defendants	)	

O R D E R

NOW, this 30th day of March, 2006, upon consideration  
of the following motions:

- (1) Defendant's Motion to Dismiss Plaintiff's Amended  
Complaint, which motion was filed on behalf of Ambient  
Pressure Diving, Ltd., Silent Diving Systems, LLC,  
Cliff Simoneau, Michael Fowler, C2 Educational  
Expeditions and Technical Dive International on May 31,  
2005; together with:  
Plaintiff's Opposition to the Motion to Dismiss of

Defendants, filed on June 22, 2005;

- (2) Motion to Dismiss of Defendant Dolphino's Scuba, Inc., which motion was filed June 3, 2005; together with:

Plaintiff's Opposition to the Motion to Dismiss of Defendant Dolphino's Scuba, Inc., filed June 21, 2005;

- (3) Motion to Dismiss of Defendants Teledyne Technologies Incorporated and Teledyne Analytical Instruments, which motion was filed June 10, 2005; together with:

Plaintiff's Opposition to the Motion to Dismiss of Defendants, Teledyne Technologies Incorporated and Teledyne Analytical Instruments, filed June 22, 2005; and

- (4) Plaintiff's Motion to Transfer to Cure Want of Jurisdiction Pursuant to 28 U.S.C. 1631, which motion was filed August 31, 2005; together with:

- (a) Memorandum of Law in Opposition to Plaintiff's Motion to Transfer, filed on behalf of defendants Teledyne Technologies Incorporated and Teledyne Analytical Instruments on September 16, 2005;

- (b) Defendants' Memorandum in Opposition to Plaintiff's Motion to Transfer, filed on behalf of defendants Ambient Pressure Diving,

Ltd., Silent Diving Systems, LLC, Cliff Simoneau, Michael Fowler, C2 Educational Expeditions and Technical Dive International on September 16, 2005; and

- (c) Memorandum of Law in Opposition to Plaintiff's Motion to Transfer, filed on behalf of Dolphino's Scuba, Inc. on September 20, 2005;

upon further consideration of Plaintiff's Supplemental Memorandum in Opposition to All Defendants' Motions to Dismiss with Regard to Jurisdiction [Fed.R.Civ.P. Rule 12(b)2], filed September 1, 2005; after oral argument held September 1, 2005 on the three motions to dismiss; and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that plaintiff's motion to transfer is granted.

IT IS FURTHER ORDERED that this case shall be transferred to the United States District Court for the District of New Hampshire.

IT IS FURTHER ORDERED that defendants' motions to dismiss are dismissed without prejudice to raise these arguments before the United States District Court for the District of New Hampshire.

BY THE COURT:

/s/James Knoll Gardner  
James Knoll Gardner  
United States District Judge